

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:                      Group Art Unit: 3771

MICHAEL PORAT                                      Examiner: K. Matter

Serial No.: 10/529,390

Filed: March 28, 2005

For: EMERGENCY ESCAPE MASK

**DECLARATION UNDER 37 CFR 1.132**

Honorable Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Michael Porat, do hereby declare as follows:

I am the named inventor of the above-identified patent application.

The emergency escape mask disclosed and claimed in the above-identified patent application is sold commercially in Israel, the United States, the United Kingdom and throughout Europe.

Our selling price is US\$ 5.75 per mask, but our worldwide suppliers ask for a much higher prices as stated in their internet sites.

The mask is sold in the United States under the Trademark Breath of Life<sup>®</sup>. Over 100,000 masks have been sold in the US.

The mask is sold in the United Kingdom under the names Safetyhood<sup>™</sup>, Evac-Hood<sup>™</sup> and Bio-hood<sup>™</sup>. Over 100,000 masks have been sold in the United Kingdom; over 50,000 masks were sold in the first week after the terror attacks in London of July 7<sup>th</sup> 2005.

In Australia, the masks are sold under the name EEM; over 15,000 masks have been sold in Australia.

The masks have been sold under the name Muski™ in Japan, Singapore, Saudi Arabia, Turkey, Germany, Austria, France, Italy, Spain, Greece, Norway and several South American countries. Over 200,000 Muski™ masks have been sold.

The flat foldability and pocket size of these masks make it easy to store and carry wherever you go; the use of the separate elastic bands for sealing reduces the cost and enables quick donning while providing a reliable seal. The adjustment ability of the mask and seals prevents accumulation of CO<sub>2</sub> in the mask while in use that is a fundamental requirement in all gas masks official specifications and enables easy breathing that is also one of the requirements in the above specifications.

The European Committee for Standardization (CEN) has prepared nowadays a standard for Personal Protective Equipment PM-750 ([www.pm-750.com](http://www.pm-750.com)) which, provides a further basis for potential customers such as concerning citizens, governments, security companies, public institutes, etc., to purchase escape masks. The masks according to the claimed invention are thought to comply with the PM-750 standard.

All statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and further, these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

December 23<sup>rd</sup>, 2009

  
Michael Porat